

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
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PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 JUL 14 P 4: 50

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

JUL 14 2009

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IN THE MATTER OF THE APPLICATION
OF SOLARCITY FOR A DETERMINATION
THAT WHEN IT PROVIDES SOLAR
SERVICE TO ARIZONA SCHOOLS,
GOVERNMENTS, AND NON-PROFIT
ENTITIES IT IS NOT ACTING AS A
PUBLIC SERVICE CORPORATION
PURSUANT TO ART. 15, SECTION 2 OF
THE ARIZONA CONSTITUTION.

DOCKET NO. E-20690A-09-0346

**ARIZONA PUBLIC SERVICE
COMPANY'S MOTION TO
INTERVENE**

Arizona Public Service Company ("APS" or "Company"), through undersigned counsel, and pursuant to A.A.C. R14-3-105, hereby moves the Arizona Corporation Commission ("Commission") for an order allowing APS to intervene in the above-captioned proceeding. In support of its motion, APS states as follows:

1. APS is an Arizona corporation that provides electric service to customers within the state of Arizona.

2. In this Docket, SolarCity Corporation ("SolarCity") has applied for an expedited ruling that SolarCity is not acting as a public service corporation as defined in Article 15, Section 2 of the Arizona Constitution when it enters into a Solar Services Agreement with schools, non-profits and governmental entities.

3. APS is affected directly and substantially by the outcome of SolarCity's Application because SolarCity may enter in Solar Service Agreements with schools, non-profits and governmental entities that are APS customers, which require interconnection with the Company's electric system. Additionally, these APS customers may seek incentives under the Renewable Energy Standard Rules, pursuant to R14-2-1801 *et seq.*

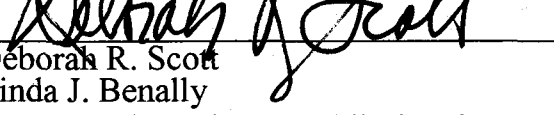
1 4. The granting of intervenor status to APS will not delay this proceeding or cause the
2 issues to be unduly broadened nor will it unduly prejudice SolarCity or any other interested
3 parties.

4 Service of all correspondence, documents or pleadings should be made to counsel for
5 APS as follows:

6 Deborah R. Scott
7 Linda J. Benally
8 Pinnacle West Capital Corporation
9 400 North 5th Street, MS 8695
10 Phoenix, Arizona 85004
11 602.250.5508
12 602.250.3630
13 602.250.3393 (Fax)\
14 Deb.Scott@pinnaclewest.com
15 Linda.Benally@pinnaclewest.com

16 RESPECTFULLY SUBMITTED this 14th day of July, 2009.

17 PINNACLE WEST CAPITAL CORPORATION
18 LAW DEPARTMENT

19 By: 
20 Deborah R. Scott
21 Linda J. Benally
22 Attorneys for Arizona Public Service Company

23 ORIGINAL and thirteen (13) copies
24 of the foregoing filed this 14th day of
25 July, 2009, with:

26 Docket Control
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, Arizona 85007

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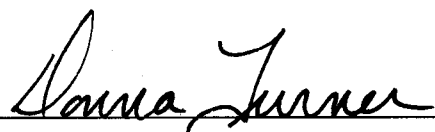
1 COPY of the foregoing mailed/delivered this
14th day of July, 2009 to:

2
3 Teena Wolfe
4 Administrative Law Judge
5 Arizona Corporation Commission
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6 Phoenix, Arizona 85007

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